

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

LESTER R. STARIN
2143 East 29th Street
Wickliffe, Ohio 44092

Plaintiff

v.

BRUSH WELLMAN, INC.
c/o Statutory Agent,
Michael C. Hasychak
17876 St. Clair Avenue
Cleveland, Ohio 44110

Defendant

CLERK OF COURT J. McMONAGLE

JUDGE: 321428

COMPLAINT

Jury Demand Endorsed Hereon

Now comes the plaintiff, by and through counsel, and for his Complaint against the defendant, states as follows:

PARTIES

1. Plaintiff, Lester R. Starin, is and was at all times relevant herein, a resident of the County of Cuyahoga, City of Wickliffe, State of Ohio.

2. At all times herein relevant, plaintiff, Lester R. Starin, is and was an employee of defendant, acting within the course and scope of his employment.

3. Defendant, Brush Wellman, Inc., is and was at all times relevant, an Ohio Corporation duly licensed and organized under the laws of the State of Ohio.

4. Defendant's principal place of business and corporate headquarters are located in Cuyahoga County, City of Cleveland, State of Ohio.

5. At all times herein relevant, defendant is and was engaged in the business

of manufacturing and selling engineered materials to industrial customers throughout the world. Defendant is a manufacturer and/or supplier of beryllium-containing alloys and beryllia ceramic and also supplies specialty metal systems and precious metal products. Defendant has several manufacturing facilities located on the States of Ohio, Pennsylvania, Massachusetts, Arizona, Utah, California, Rhode Island, New York, England, West Germany and Japan.

6. Since on or about 1956, plaintiff, Lester R. Starin, began his employment with defendant at their manufacturing and business facility located in Lorain, Ohio.

7. As a direct and proximate result of plaintiff's employment with defendant, he was exposed to beryllium, beryllium particles and/or beryllium dust which has caused him severe and permanent harm, including but not limited to suffering from chronic beryllium disease or CBD. Plaintiff Lester R. Starin was diagnosed with chronic beryllium disease in December, 1995.

BACKGROUND AND HISTORY OF EVENTS

8. Plaintiff restates and realleges each and every allegation made and contained in the foregoing paragraphs 1 through 7, as if fully rewritten and further states:

9. Beryllium disease was first noted and documented to be a dangerous threat to human life in the 1940's. Several Massachusetts' lamp factories were involved with the manufacture of beryllium and their employees would frequently suffer from acute or chronic beryllium disease. Acute or chronic beryllium disease is also referred to as berylliosis.

10. Acute berylliosis presents much like pneumonia. The chronic beryllium

disease (CBD) is more of a life threatening, insidious lung disease. CBD affects the lungs and the T cells in the blood and has killed hundreds, if not thousands, of people since its discovery.

11. With the development of World War II and the beginning of the need to manufacture atomic weapons, President Harry Truman created the atomic energy commission. However, before the weapons could be made, it was necessary to create a safe way to manufacture beryllium. It was necessary to develop a standard for safe levels of airborne beryllium dust during the manufacturing of beryllium and beryllium products to avoid injury and disease to human beings. Beryllium was a key metal element in the development of atomic weapons, at the time.

12. The standard of two micrograms per cubic meter (2.0 mgs./m³) was developed around 1949 and was tested for its safety at a beryllium manufacturing plant in Lorain, Ohio known as Brush Beryllium. Brush Beryllium, for all intents and purposes, is and was the defendant company, Brush Wellman.

13. Unfortunately, the Lorain plant experiment, with two micrograms per cubic meter standard of airborne beryllium dust, failed to evidence a safe work environment. The manufacturing process in Lorain, Ohio, as well as other evidence, began to prove to the defendant that the two micrograms per cubic meter airborne standard was unsafe and dangerous for human exposure.

14. It is later discovered by defendant, that beryllium disease is caused by an individual's hypersensitivity to the metal dust. Therefore, it did not

matter whether the concentration of beryllium dust was lower than or exceeded the two micrograms per cubic meter standard. Any amount of beryllium dust in the air was potentially fatal to those individuals who are and were hypersensitive to beryllium dust.

15. At all times herein relevant, defendant, Brush Wellman, knew that the two microgram per cubic meter standard was unsafe. Despite such knowledge, defendant continued to mislead and promise the plaintiff, all of its employees and the surrounding community, that strict adherence to the airborne dust standard was safe for their health.

16. At all times herein relevant, defendant, Brush Wellman, knew that CBD could not be avoided even with strict adherence to the two microgram per cubic meter airborne standard.

17. At all times herein relevant, defendant Brush Wellman, failed to warn its employees about the health hazards of breathing airborne beryllium dust. In fact, defendant, intentionally withheld the true and accurate facts that any amount of beryllium dust exposure is potentially fatal.

18. Defendant, also continually and consistently exceeded the "safe" two microgram standard and intentionally exposed its employees to extremely hazardous levels of beryllium.

19. Defendant, Brush Wellman, has beryllium manufacturing facilities all over America and the world. Currently litigation is pending against Brush Wellman in Arizona and Tennessee.

20. As the foregoing outlines, defendant, Brush Wellman, Inc., has known for many years that working around beryllium dust is and was a substantially dangerous process. Further, defendant has known that exposing its employees to beryllium dust would create a great probability of causing substantial harm.

EMPLOYER "INTENTIONAL" TORT

21. Plaintiff restates and realleges each and every allegation, factual or otherwise, made and contained in the foregoing paragraphs 1 through 20, as if fully rewritten herein, and incorporates all factual statements and allegations previously outlined in the following Count:

22. On or before December, 1995, plaintiff Lester R. Starin, was severely and permanently injured while working within the course and scope of his employment at defendant, Brush Wellman, Inc. Plaintiff's exposure to beryllium particles and/or beryllium dust directly and proximately caused a debilitating disorder called chronic beryllium disease.

23. At all times herein relevant, defendant knew that subjecting plaintiff to beryllium in the operation of its business created extreme hazards and presented an obvious danger to plaintiff.

24. Defendant intentionally and/or willfully placed plaintiff in the position whereby it knew that severe harm was substantially certain to occur to plaintiff.

25. Defendant required plaintiff to be exposed to this highly dangerous

work environment as a part of his employment and job related responsibilities.

26. Defendant's acts and/or omissions demonstrated an entire absence of care for the safety of plaintiff, after having knowledge of the dangerous condition of its work place.

27. Defendant's intentional and/or willful conduct proximately caused severe and permanent injuries to plaintiff.

28. Said injuries caused pain, suffering and disability, still cause pain, suffering and disability, and will continue to cause pain, suffering and disability in the indefinite future.

29. As a result of defendant's acts and/or omissions, plaintiff necessitated medical care and treatment and expects to necessitate additional medical care and treatment in the indefinite future.

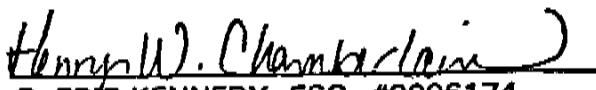
30. Plaintiff has incurred medical expenses and expects to incur additional medical expenses in the indefinite future.

31. By reason of the foregoing, plaintiff lost earnings, and in all probability, will lose future earnings. Plaintiff's future earning capacity has been impaired.

WHEREFORE, plaintiff demands compensatory damages in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) and for punitive damages in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), plus the costs of the instant action.

JURY DEMAND

Pursuant to Rule 38(B) of the Ohio Rules of Civil Procedure, Plaintiff
hereby demands trial by jury.


R. ERIC KENNEDY, ESQ. #0006174
HENRY W. CHAMBERLAIN, ESQ. #0046682
WEISMAN, GOLDBERG & WEISMAN
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1600 Midland Building
101 Prospect Avenue, N.W.
Cleveland, Ohio 44115
(216) 781-1111

Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

Jul 22 9 15 AM '97

MIA JOHNSON, Individually and as
Executrix of the Estate of
Ethel Jones, Deceased
219 North Wayne Street
Freemont, Ohio 43420

Case No.:

326113

Judge:

325 EILEEN A. GALLAGHER

and

DOLORES BEGOVICH, Individually and as
Executrix of the Estate of
George Begovich, deceased
295 Valley Brook Oval
Hinckley, Ohio 44233

COMPLAINT

Jury Demand Endorsed Hereon

and

BELVE DAMRON
2729 S. Slimmer-Portage Road
C.R. 43
Oak Harbor, Ohio 43449

and

ANNABELLE DAMRON
2729 S. Slimmer-Portage Road
C.R. 43
Oak Harbor, Ohio 43449

and

RICHARD KNAUSS
141 South Maple Street
Oak Harbor, Ohio 43449

and

ELIZABETH KNAUSS
141 South Maple Street
Oak Harbor, Ohio 43449

and

JENNIFER KNAUSS
141 South Maple Street
Oak Harbor, Ohio 43449

and

KIRA KNAUSS
141 South Maple Street
Oak Harbor, Ohio 43449
and

RICHARD KNAUSS, JR.
141 South Maple Street
Oak Harbor, Ohio 43449

and

BENJAMIN KNAUSS
141 South Maple Street
Oak Harbor, Ohio 43449

and

JAMES SLEEK
4180 U.S. Route 6
Helena, Ohio 43435

and

KELLY SLEEK
4180 U.S. Route 6
Helena, Ohio 43435

and

ANDREW SLEEK
4180 U.S. Route 6
Helena, Ohio 43435

and

AMANDA SLEEK
4180 U.S. Route 6
Helena, Ohio 43435

and

AMBER SLEEK
4180 U.S. Route 6
Helena, Ohio 43435
and

RONALD WATT
130 East Main Street
Oak Harbor, Ohio 43449

and

BETTY J. WATT
130 East Main Street
Oak Harbor, Ohio 43449

and

RICHARD STIFFLER
3033 Douglas Road
Bradner, Ohio 43406

and

JANICE STIFFLER
3033 Douglas Road
Bradner, Ohio 43406

Plaintiffs

v.

BRUSH WELLMAN, INC.
c/o Statutory Agent,
Michael C. Haychak
17876 St. Clair Avenue
Cleveland, Ohio 44110

Defendant

Now come the plaintiffs, by and through counsel, and for their Complaint against the defendant, state as follows:

PARTIES

1. Plaintiffs, Mia Johnson, individually and as executrix of the estate of Ethel Jones, deceased, Dolores Begovich, individually and as executrix of the estate of George Begovich, deceased, Belve Damron, Richard Knauss, James Sleek, Ronald Wan and Richard Stiffler, are and were at all times herein relevant, residents of the State of Ohio.
2. At all times herein relevant, plaintiffs, Ethel Jones, deceased, George Begovich, deceased, Belve Damron, Richard Knauss, James Sleek, Ronald Wan and Richard Stiffler, are and were employees of the defendant, acting within the course and scope of their employment.
3. Defendant, Brush Wellman, Inc., is and was at all times relevant, an Ohio corporation, duly organized under the laws of the State of Ohio.
4. Defendant's principal place of business and corporate headquarters are located in Cuyahoga County, City of Cleveland, State of Ohio.
5. At all times herein relevant, defendant is and was engaged in the business of manufacturing and selling engineered materials to industrial customers throughout the world. Defendant is a manufacturer and/or supplier of beryllium-containing alloys and beryllia ceramic and also supplies specialty metal systems and precious metal products. Defendant has several manufacturing facilities located in the following states and countries: Ohio, Pennsylvania, Massachusetts, Arizona, Utah, California, Rhode Island, New York, England, West Germany and Japan, as well as other states and countries.

6. As a direct and proximate result of plaintiffs' employment with defendant, they were exposed to beryllium, beryllium particles and/or beryllium dust which has caused them severe and permanent harm, including but not limited to suffering from chronic beryllium disease or CBD. The respective plaintiffs were diagnosed with chronic beryllium disease as follows:

1. Ethel Jones, deceased - diagnosed 1986; date of death: 2/24/96
2. George Begovich, deceased - diagnosed June, 1980; date of death 2/12/95
3. Belve Damron - diagnosed July 12, 1994
4. Richard Knauss - diagnosed October 31, 1994
5. James Sleek - diagnosed November 9, 1993
6. Ronald War - diagnosed August, 1993
7. Richard Stiffier - diagnosed August 8, 1994

BACKGROUND AND HISTORY OF EVENTS

7. Plaintiffs restate and reallege each and every allegation made and contained in the foregoing paragraphs 1 through 6, as if same were fully rewritten herein and further state:

8. Beryllium disease was first noted and documented to be a dangerous threat to human life in the 1940's. Several Massachusetts' lamp factories were involved with the manufacture of beryllium and their employees would frequently suffer from acute or chronic beryllium disease. Acute or chronic beryllium disease is also referred to as berylliosis.

9. Acute berylliosis presents much like pneumonia. The chronic beryllium disease (CBD) is more of a life threatening, insidious lung disease. CBD affects the lungs and the T cells in the blood and has killed hundreds, if not thousands, of people since its discovery.

10. With the development of World War II and the beginning of the need to manufacture atomic weapons, President Harry Truman created the atomic energy commission. However, before the weapons could be made, it was necessary to create a safe way to manufacture beryllium. It was necessary to develop a standard for safe levels of airborne

beryllium dust during the manufacturing of beryllium and beryllium products to avoid injury and disease to human beings. Beryllium was a key metal element in the development of atomic weapons, at the time.

11. The standard of two micrograms per cubic meter (2.0 mgs./m³) was developed around 1949 and was tested for its safety at a beryllium manufacturing plant in Lorain, Ohio known as Brush Beryllium. Brush Beryllium, for all intents and purposes, is and was the defendant company, Brush Wellman.

12. Unfortunately, the Lorain plant experiment, with two micrograms per cubic meter standard of airborne beryllium dust, failed to evidence a safe work environment. The manufacturing process in Lorain, Ohio, as well as other evidence, began to prove to the defendant that the two micrograms per cubic meter airborne standard was unsafe and dangerous for human exposure.

13. It is later discovered by defendant, that beryllium disease is caused by an individual's hypersensitivity to the metal dust. Therefore, it did not matter whether the concentration of beryllium dust was lower than or exceeded the two micrograms per cubic meter standard. Any amount of beryllium dust in the air was potentially fatal to those individuals who are and were hypersensitive to beryllium dust.

14. At all times herein relevant, defendant, Brush Wellman, knew that the two microgram per cubic meter standard was unsafe. Despite such knowledge, defendant continued to mislead and promise the plaintiffs, all of its employees and the surrounding community, that strict adherence to the airborne dust standard was safe for their health.

15. At all times herein relevant, defendant, Brush Wellman, knew that CBD could not be avoided even with strict adherence to the two microgram per cubic meter airborne standard.

16. At all times herein relevant, defendant Brush Wellman, failed to warn its employees about the health hazards of breathing airborne beryllium dust. In fact, defendant, intentionally withheld the true and accurate facts that any amount of beryllium dust exposure is potentially fatal.

17. Defendant, also continually and consistently exceeded the "safe" two microgram standard and intentionally exposed its employees to extremely hazardous levels of beryllium.

18. Defendant, Brush Wellman, has beryllium manufacturing facilities all over America and the world. Currently litigation is pending against Brush Wellman in Arizona, Tennessee and other states.

19. As the foregoing outlines, defendant, Brush Wellman, Inc., has known for many years that working around beryllium dust is and was a substantially dangerous process. Further, defendant has known that exposing its employees to beryllium dust would create a great probability of causing substantial harm.

COUNT I - EMPLOYER "INTENTIONAL" TORT

20. Plaintiffs, Mia Johnson, as executrix of the estate of Ethel Jones, deceased, (Mia Johnson was duly appointed Executrix of the Estate of Ethel Jones by the Probate Court of Sandusky County on the 12th day of June, 1996), Dolores Begovich, as the executrix of the estate of George Begovich, deceased (Dolores Begovich was duly appointed executrix of the estate of George Begovich by the Probate Court of Medina County on the 22nd day of January,

1997), Belve Damron, Richard Knauss, James Sleek, Ronald Watt and Richard Stiffler, restate and reallege each and every allegation, factual or otherwise, made and contained in the foregoing paragraphs 1 through 19, as if fully rewritten herein, and incorporate all factual statements and allegations previously outlined in the foregoing Count:

21. Plaintiffs, Mia Johnson, as executrix of the estate of Ethel Jones, deceased, Dolores Begovich, as executrix of the estate of George Begovich, deceased, Belve Damron, Richard Knauss, James Sleek, Ronald Watt and Richard Stiffler, were severely and permanently injured while working within the course and scope of their employment at defendant, Brush Wellman, Inc. Plaintiffs' exposure to beryllium particles and/or beryllium dust directly and proximately caused a debilitating disorder called chronic beryllium disease.

22. In the claims of Mia Johnson, executrix of the estate of Ethel Jones, deceased, and Dolores Begovich, executrix of the estate of George Begovich, deceased, the chronic beryllium disease suffered by plaintiffs, Ethel Jones and George Begovich, directly and proximately caused their deaths.

23. At all times herein relevant, defendant knew that subjecting plaintiffs to beryllium in the operation of its business created extreme hazards and presented an obvious danger to plaintiffs.

24. Defendant intentionally and/or willfully placed plaintiffs in the position whereby it knew that severe harm was substantially certain to occur.

25. Defendant required plaintiffs to be exposed to this highly dangerous work environment as a part of their employment and job related responsibilities.

26. Defendant's acts and/or omissions demonstrated an entire absence of care for the safety of plaintiffs, after having knowledge of the dangerous condition of its work place.

27. Defendant's intentional and/or willful conduct proximately caused severe and permanent injuries to plaintiffs.

28. Said injuries caused pain, suffering and disability, still cause pain, suffering and disability, and will continue to cause pain, suffering and disability in the indefinite future for plaintiffs, Belve Damron, Richard Knauss, James Sleek, Ronald Wan and Richard Stiffler.

29. Defendant's intentional and/or willful conduct previously outlined proximately caused the deaths of Ethel Jones and George Begovich.

30. By reason of the foregoing, Ethel Jones, deceased, during her lifetime, suffered severe pain, both physical and mental.

31. By reason of the foregoing, George Begovich, deceased, during his lifetime, suffered severe pain, both physical and mental.

32. As a result of defendant's acts and/or omissions, plaintiffs, Belve Damron, Richard Knauss, James Sleek, Ronald Wan and Richard Stiffler, necessitated medical care and treatment and expect to necessitate additional medical care and treatment in the indefinite future.

33. Plaintiffs, Ethel Jones, deceased and George Begovich, deceased, required additional and extensive medical care and treatment prior to their deaths as a direct and proximate result of the defendant's acts and/or omissions.

34. Plaintiffs have incurred medical expenses and expect to incur additional medical expenses in the indefinite future.

35. Plaintiff, Ethel Jones, deceased, and her next of kin have incurred medical expenses prior to Ethel Jones' death as a direct and proximate result of the defendant's acts and/or omissions.

36. Plaintiff, George Begovich, deceased and his next of kin have incurred medical expenses prior to George Begovich's death as a direct and proximate result of the defendant's acts and/or omissions.

37. By reason of the foregoing, plaintiffs, Belve Damron, Richard Knauss, James Sleek, Ronald Watt and Richard Stiffler, lost earnings, and, in all likelihood, will lose future earnings. The plaintiffs' respective future earning capacities have been impaired.

THEREFORE, plaintiffs, Mia Johnson, as executrix of the estate of Ethel Jones, deceased, Dolores Begovich, as executrix of the estate of George Begovich, deceased, Belve Damron, Richard Knauss, James Sleek, Ronald Watt and Richard Stiffler, demand compensatory damages against the defendant in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) and for punitive damages against the defendant in excess of TWENTY-FIVE THOUSAND DOLLARS, plus the costs of the instant action.

COUNT II - LOSS OF CONSORTIUM AND WRONGFUL DEATH CLAIMS

38. Plaintiffs, Mia Johnson, Eric Johnson, Alton Johnson, Dolores Begovich, George R. Begovich, John Begovich, Amanda Begovich, Barbara Pechulls, Ann Gregg, Pauline Kivach, Annabelle Damron, Elizabeth Knauss, Jennifer Knauss, Kira Knauss, Richard Knauss, Jr., Benjamin Knauss, Kelly Sleek, Andrew Sleek, Amanda Sleek, Amber Sleek, Betty J. Watt and Janice Stiffler, hereby restate and reallege each and every allegation made and contained in the foregoing paragraphs 1 through 37 as if fully rewritten herein and further state:

39. Plaintiffs, Mia Johnson, Eric Johnson, Alton Johnson, Dolores Begovich, George R. Begovich, John Begovich, Amanda Begovich, Barbara Pechulis, Ann Gregg, Pauline Kivach, Annabelle Damron, Elizabeth Knauss, Jennifer Knauss, Kira Knauss, Richard Knauss, Jr., Benjamin Knauss, Kelly Sleek, Andrew Sleek, Amanda Sleek, Amber Sleek, Betty J. Watt and Janice Stiffler, are and were, at all times herein relevant, the respective wives, children and/or next of kin of the plaintiffs, Ethel Jones, deceased, George Begovich, deceased, Belve Damron, Richard Knauss, James Sleek, Ronald Watt and Richard Stiffler.

40. Plaintiff, Executrix, Mia Johnson, brings this Count II on behalf of the next of kin of the decedent, Ethel Jones, as follows:

1. Mia Johnson, daughter
2. Alton Johnson, son
3. Eric Johnson, son

41. By reason of the foregoing, plaintiff-decedent, Ethel Jones, was wrongfully caused to die.

42. Ethel Jones' death has caused substantial pecuniary loss to her next of kin on whose behalf this Count II is brought.

43. The decedent's next of kin have been caused the loss of companionship, consortium, care, assistance, attention, protection, advice, guidance, counseling, instruction, training and education of the decedent.

44. In addition, the decedent's next of kin have been caused to suffer severe mental anguish as a result of the decedent's death.

45. By reason of the foregoing, the decedent's estate further incurred burial and funeral expenses all to the further damage of the estate of the decedent, Ethel Jones.

46. Plaintiff, Executrix, Dolores Begovich, brings this Count II on behalf of the next of kin of the decedent, George Begovich, as follows:

1. Dolores Begovich, spouse
2. George R. Begovich, son
3. John Begovich, son
4. Amanda Begovich, daughter
5. Barbara Pechulis, sister
6. Ann Gregg, sister
7. Pauline Kivach, sister

47. By reason of the foregoing, plaintiff decedent, George Begovich, was wrongfully caused to die.

48. George Begovich's death has caused substantial pecuniary loss to his next of kin on whose behalf this Count II is brought.

49. The decedent's next of kin have been caused the loss of companionship, consortium, care, assistance, attention, protection, advice, guidance, counseling, instruction, training and education of the decedent.

50. In addition, the decedent's next of kin have been caused to suffer severe mental anguish as a result of decedent's death.

51. By reason of the foregoing, the decedent's estate further incurred burial and funeral expenses all to the further damage of the estate of the decedent, George Begovich.

52. As a direct and proximate result of the acts and/or omissions of the defendant, as outlined in plaintiffs' Complaint and incorporated herein, plaintiffs, Annabelle Damron, Elizabeth Knauss, Kelly Sleek, Betty J. Watt and Janice Stiffler, lost the services, companionship and consortium of their respective husbands and they will lose the companionship, services and consortium of their respective husbands in the indefinite future.

53 As a direct and proximate result of the acts and/or omissions of the defendant, as outlined in the plaintiffs' Complaint and incorporated herein, plaintiffs, Jennifer Knauss, Kira Knauss, Richard Knauss, Jr., Benjamin Knauss, Andrew Sleek, Amanda Sleek and Amber Sleek, lost the services, companionship and filial consortium of their respective fathers; such services, companionship and filial consortium of their respective fathers will, in all probability, be lost to these plaintiffs in the indefinite future.

THEREFORE, plaintiffs, Mia Johnson, Eric Johnson, Alton Johnson, Dolores Begovich, George R. Begovich, John Begovich, Amanda Begovich, Barbara Pechulis, Ann Gregg, Pauline Kivach, Annabelle Damron, Elizabeth Knauss, Jennifer Knauss, Kira Knauss, Richard Knauss, Jr., Benjamin Knauss, Kelly Sleek, Andrew Sleek, Amanda Sleek, Amber Sleek, Betty J. Wau and Janice Stiffler, demand compensatory damages against the defendant in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) and demand punitive damages against the defendant in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00), plus the costs of the instant action.

WHEREFORE, plaintiffs demand compensatory damages in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) and for punitive damages in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) plus the costs of the instant action.

JURY DEMAND

Pursuant to Rule 38(B) of the Ohio Rules of Civil Procedure, Plaintiffs hereby demand trial by Jury.



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